

REMARKS

The holding of allowable subject matter is gratefully acknowledged. Claim 3 has been amended to put it in independent form. Applicants respectfully submit that this does not change the scope of the claim and therefore is not a narrowing amendment.

The title has been amended, as requested by the Examiner. Applicants respectfully submit that this change does not affect the scope of the claims.

Claim 1 has been amended to add the traditional word “comprising.” This change broadens the claim and is not in response to any rejection.

The paragraph structure of claim 1 has been changed for clarity. This change is purely stylistic in nature, does not affect the scope of the claim, and is not in response to any rejection or objection by the Examiner.

Applicant has changed “the” to -- a -- in claim 1 as requested by the Examiner. This change is purely pedantic in nature and does not affect the scope of the claim.

Art rejections

The art rejections are respectfully traversed.

Since the references are many, Applicants will confine their remarks to those portions of the references cited by the Examiner, except as otherwise indicated. Applicants make no representation as to the contents of other portions of the references.

Any of the Examiner’s rejections and/or points of argument that are not addressed below would appear to be moot in view of the following. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner’s statements are conceded.

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“Locking Element”— claims 1 and 10-12

Applicants disagree with the Examiner’s interpretation of the term “locking element.” In reading claim 1 on the art, the Examiner feels the claim language would cover a situation where locking is achieved using the sleeve and cap alone, without a distinct third element. Applicants respectfully submit that claim 1 cannot be read this way.

Claim 1, for instance, recites: a sleeve, a cap, and a locking element, in other words three elements. The Examiner reads this recitation on Maassen. In Maassen, there is a sleeve and a cap, but no distinct locking element. The Examiner reads three elements on two elements. Applicants respectfully submit that this is improper. New claim 10 has been added to clarify this distinction.

New claim 11 is in more traditional US claim format, omits some limitations of claim 1, and recites the locking element more positively. Applicants accordingly respectfully submit that claim 11 distinguishes even more clearly over Maassen than claim 1.

New method claim 12 is analogous to the other claims with respect to the arguments advanced above relating to Maassen, though some other limitations have been omitted from this claim.

Claims 4-5

Claims 4 & 5 stand rejected over Maassen in view of Scott et al.

Claim 4 recites a recess. The recess is on an outer surface of the sleeve and a portion of the locking element grips the recess. Since claim 4 is dependent on claim 1, this claim incorporates limitations from the base claim, for instance that the cap is positioned over the

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sleeve adjacent the end facing the light emission window – and that the locking element positions the cap on the sleeve.

Scott is cited as showing the additional recitations of claims 4 and 5. Applicants respectfully submit that the Examiner misconstrues Scott. Scott's element 30 is said in the reference to be a support arm which is welded to 16 and 17. Applicants do not believe that this assembly can fairly be characterized as a “locking element.” Moreover, the recess cited by the Examiner is in the base of the lamp – NOT on an end of a sleeve adjacent a light emission window. In addition, element 27 -- cited by the Examiner as a cap -- appears, per col. 2, lines 64 et seq., merely to be a partial shield. Applicants do not see how this shield can fairly be characterized as a cap positioned at the end of a sleeve. Applicants respectfully submit that the Examiner's application of Scott here constitutes an impermissible hindsight reconstruction in light of Applicants' disclosure and claims.

With respect to claim 5, the Examiner appears to assert that Scott's 30, 16, 17 mate into a recess in a sleeve and into a locking holder of a cap. Applicants simply see no such thing. Elements 16 and 17 are stuck into holes at the base of the lamp, not on a sleeve. Applicants do not see any mating at the shield end of the structure. Moreover, as stated before, 16, 17, and 30 appear to be merely support structures, not part of a *locking* element as claimed. Applicants respectfully submit that the Examiner is mischaracterizing Scott's disclosure.

Double patenting rejection

The Examiner concedes that the co-pending application lacks a locking element and that the sleeve and cap are in fact formed into an integral unit. The cap is not locked to the sleeve. The Examiner attempts to correct this deficiency with Scott.

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Applicants respectfully submit that this combination is impossible. How can any locking element be added to position a cap to a sleeve when the two are already an integral unit? The locking element would at best be a decoration on the integral unit. It could not serve any functional purpose. Applicants respectfully submit that the only way one would even think of such an absurdity is by impermissible hindsight in light of Applicants' claims and disclosure.

Moreover, as explained before, with reference to claims 4 and 5, elements 16, 17, and 30 do not teach or suggest a locking element. They are merely a support structure.

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Applicants respectfully submit that they have addressed each issue raised by the Examiner — except for any that were skipped as moot — and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

CERTIFICATE OF MAILING

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